

## **REMARKS**

Claims 1-3, 5, 6 and 8-10 are pending and under consideration in the above-identified application.

In the Office Action, Claims 1-3, 5, 6 and 8-10 were rejected.

In this Amendment, Claim 9 is amended. No new matter has been introduced as a result of this matter.

Accordingly, Claims 1-3, 5, 6 and 8-10 remain at issue.

### **I. Objection to the Claims**

Claim 9 was objected to because of informalities. As required by the Examiner, Claim 9 has been appropriately amended.

Accordingly, Applicant respectfully requests that this claim objection be withdrawn.

### **II. 35 U.S.C. § 103 Obviousness Rejection of Claims**

Claims 1-3, 5, 6 and 8-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Yanagida, et al.* ("Yanagida") (U.S. Patent Application No. 2002/0097369) in view of *Nakao, et al.* ("Nakao") (U.S. Patent No. 6,088,075) and *Hosoyamada* (U.S. Patent No. 6,414,740). Applicant respectfully traverses this rejection.

The United States Patent Publication No.: US 2002/0097369 to *Yanagida*, owned by Sony Corporation, was pending as of the June 15, 2005 filing date of the present patent application, which is assigned with 100 percent interest to Sony Corporation. As such, the subject matter disclosed in the Patent Publication No. 2002/0097369 and the presently claimed invention were, at the time the present invention was made, owned by the same entity, namely Sony Corporation. Therefore, under 35 U.S.C. § 103 (c) this subject matter disclosed in the Patent Publication No.: US 2002/0097369, which may qualify as prior art under subsection (e), (f), and (g) of 35 U.S.C. § 102, does not affect patentability of the present patent application.

Thus, Independent Claims 1 and 6 are patentable over *Yanagida*, *Nakao*, and *Hosoyamada*, taken singly or in combination with each other, as are corresponding dependent Claims 2, 3, 5 and 8-10 for at least the same reasons.

Accordingly, Applicant respectfully requests that these claim rejections under 35 U.S.C. § 103(a) be withdrawn.

**III. Conclusion**

In view of the above amendments and remarks, Applicant submits that Claims 1-3, 5, 6 and 8-10 are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

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